Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.   (Currently amended) A method for providing a predetermined transmission rate for an auxiliary information in a predetermined channel of a data transmission stream, said method comprising:

setting for said data transmission stream, an additional combination of selectable transport formats, which determines a maximum allowable data rate higher by a predetermined rate amount than the maximum data rate of a signal transmitted via said predetermined channel, into a predetermined set of selectable combinations of selectable transport formats; and

using said predetermined rate amount of said predetermined channel to transmit said auxiliary information.

2.   (Original) A method according to claim 1, wherein said transmission stream is a multiplex signal having at least one channel, and said selectable transport formats can be allocated to said at least one channel.

3.   (Currently amended) A method according to claim 2, wherein said setting comprises adding to a set of transport format combinations selectable for said at least one channel, a new transport format combination which determines for said predetermined channel a new transport format leading to said maximum allowable data rate.

4.   (Original) A method according to claim 3, wherein said new transport format combination comprises a transport format selected for said predetermined channel from a set of existing transport formats allocated to said predetermined channel, said selected transport format leading to an additional maximum allowable data rate for said transmission stream.

5.   (Currently amended) A method according to claim 2, wherein said setting comprises adding to said data transmission stream a new channel, and allocating to said new

channel, a set of selectable transport formats comprising a transport format which determines said maximum allowable data rate.

6.   (Previously presented) A method according to claim 2, wherein said setting comprises setting a restriction for using only a subset of selectable transport format combinations for said data transmission stream.

7.   (Previously presented) A method according to claim 2, wherein said predetermined channel is located at a predetermined fixed position within said at least one channel.

8.   (Original) A method according to claim 7, wherein said fixed position corresponds to the last channel position within a frame of said data transmission stream.

9.   (Original) A method according to claim 1, wherein said maximum allowable data rate defines transport blocks of a predetermined size in said data transmission stream.

10.   (Original) A method according to claim 1, wherein said auxiliary information comprises a discontinuous transmission information.

11.   (Original) A method according to claim 1, wherein said channel is a dedicated channel.

12.   (Original) A method according to claim 1, wherein said data transmission stream is a downlink signal of a cellular network.

13.   (Original) A method according to claim 1, wherein said auxiliary information is replaced by a control information.

14.   (Original) A method according to claim 13, wherein said control information comprises HSDPA signaling information.

15.   (Currently amended) A device for providing a predetermined transmission rate for an auxiliary information in a predetermined channel of a data transmission stream, said system comprising:

setting means for setting for said data transmission stream, an additional combination of selectable transport formats, which determines a maximum allowable data rate higher by a predetermined rate amount than the maximum data rate of a signal transmitted via said predetermined channel, into a predetermined set of selectable combinations of selectable transport formats; and

transmission means for transmitting said auxiliary information in said channel by using said predetermined rate amount.

16.   (Currently amended) A device according to claim 15, wherein said setting means is arranged to add to a set of transport format combinations selectable for at least one channel, a new transport format combination which determines for said predetermined channel a new transport format leading to said maximum allowable data rate.

17.   (Original) A device according to claim 16, wherein said new transport format combination comprises a frame format selected for said predetermined channel from a set of existing frame formats allocated to said predetermined channel, said selected frame format defining for said predetermined channel said maximum allowable data rate.

18.   (Original) A device according to claim 15, wherein said setting means is arranged to add to said data transmission stream a new channel, and to allocate to said new channel a set of selectable transport formats comprising a transport format which determines said maximum allowable data rate.

19.   (Original) A device according to claim 15, wherein said setting means is arranged to set a restriction for using only a subset of selectable transport format combinations for said signal transmitted via said predetermined channel.

20.   (Original) A device according to claim 15, wherein said device is a base station device.